

SIEMENS

PATENT
Attorney Docket No. 2004P00684WOUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor:	H. Hoell)	Confirmation No:	5736
)		
Serial No.:	10/593,030)	Examiner:	A. Eastman
)		
Filed:	September 15, 2006)	Group Art Unit:	3745
Title	NON-POSITIVE-DISPLACEMENT MACHINE AND ROTOR FOR A NON-POSITIVE-DISPLACEMENT MACHINE			

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OATH DEFICIENCY IN THE NOTICE OF ALLOWANCE

The Examiner has stated in the Notice of Allowance mailed on April 30, 2009 that Applicant's "oath is deficient because it does not claim benefit of a PCT and yet in the specification, specifically paragraph [0001], benefit of PCT/EP2005/002559 is clearly claimed". Applicant respectfully submits that unless such information is supplied on an application data sheet in accordance with § 1.76, the oath or declaration must also identify: ... (2) Any foreign application for patent (or inventor's certificate) for which a claim for priority is made pursuant to § 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application (§1.63 of the Patent Rules emphasis added). An application data sheet which identifies the foreign applications on which priority is claimed is submitted herewith. Thus, Applicant respectfully submits that the oath does not need to identify the foreign applications on which priority is claimed and is therefore not deficient.

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Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: July 6, 2009

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